

Application No.: 10/772,246

Docket No.: 20459-00346-US1

REMARKS

Reconsideration of claims 8-22, and consideration of new claims 23-31 is respectfully requested. New claims 23-31 correspond to allowed claims 1, 15-17, 22-25 and 27 of co-pending U.S. patent application no. 09/869,650, hereafter the '650 application.

The Applicant would like to thank Primary Examiner Langel and Primary Examiner Felton as well as their supervisors for their patience and cooperation in resolving the apparent conflict between the two co-pending applications related to the claimed gas-generating composition. The Examiners and their respective supervisors decided to transfer this application from Examiner Felton to Examiner Langel who was assigned the '650 application following the retirement of Examiner E. Miller. Examiner Langel then withdrew the final rejection, and reopened the prosecution of this application. The rejection of claims 8-22 are presently rejected under statutory "same invention" and "obviousness-type" double patenting over the '650 application.

Applicant respectfully submits that the rejection of claims 8-22 for statutory "same invention" double patenting be withdrawn. Applicant selected nine of the allowed claims in the '650 application and request that these claims be added and considered in this application. All nine of these claims are directed to a process for the preparation of a car safety device with the composition of claim 8.

With this Amendment Applicant submits an express abandonment of the '650 application, which overcomes the statutory-type double patenting rejection now pending against claims 8-22. For the reasons stated, Applicant respectfully submits that the rejection of claims 8-22 for "obviousness-type" double patenting also be withdrawn.

In view of the above amendment and the express abandonment of the co-pending '650, applicant, Applicant believes this application is in condition for allowance.

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Please charge our Deposit Account No. 22-0185 for all fees required for this Amendment under Order No. 20459-00346-US1 from which the undersigned is authorized to draw.

Dated: August 10, 2004

Respectfully submitted

By 

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